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13 *Attorneys for Defendants*

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 OAKLAND DIVISION

17  
 18 ZOYA KOVALENKO,

19 Plaintiff,

20 v.

21 KIRKLAND & ELLIS LLP, MICHAEL DE  
 22 VRIES, MICHAEL W. DE VRIES, P.C.,  
 ADAM ALPER, ADAM R. ALPER, P.C.,  
 23 AKSHAY DEORAS, AKSHAY S. DEORAS,  
 P.C., AND MARK FAHEY,

24 Defendants.

25 Case No. 4:22-cv-05990-HSG-TSH

26 **JOINT CASE MANAGEMENT  
 STATEMENT**

27 Date: April 8, 2025  
 Time: 2:00 p.m.  
 Dept.: Courtroom 2 – 4<sup>th</sup> Floor  
 Judge: Hon. Haywood S. Gilliam, Jr.

1 Plaintiff Zoya Kovalenko and Defendants Kirkland & Ellis LLP, Michael De Vries, Michael  
 2 W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C., Akshay Deoras, Akshay S. Deoras, P.C.,  
 3 and Mark Fahey (collectively, “Defendants”) jointly submit this Subsequent Case Management  
 4 Statement in advance of the upcoming April 8, 2025 Case Management Conference. The parties  
 5 submitted an initial Joint Case Management Statement on March 30, 2023 (Dkt. No. 81) and an  
 6 Amended Joint Case Management Statement on October 2, 2024 (Dkt. No. 149). The parties now  
 7 submit this Subsequent Case Management Statement. Pursuant to Local Rule 16-10(d), the parties  
 8 will focus this statement only on “progress or changes since the last statement was filed”,  
 9 “proposals for the remainder of the case development process” and “the parties’ views about  
 10 whether using some form of ADR would be appropriate.”

11 **A. Progress or Changes Since Last Case Management Statement Was Filed**

12 The following constitutes the major “progress or changes” since the last Case Management  
 13 Statement was filed:

- 14 • On March 7, 2025, the Court entered an order (Dkt. No. 197):
  - 15 ○ Denying Plaintiff’s motion to terminate Filippatos PLLC for cause, to  
 16 require Filippatos PLLC to provide client file to plaintiff, and to require  
 17 further briefing ex parte (Dkt. No. 171).
  - 18 ○ Granting in part and denying in part Filippatos PLLC’s cross-motion to  
 19 withdraw as counsel and to compel arbitration, preliminary statement in  
 20 opposition, and request for evidentiary hearing ex parte (Dkt. No. 177). The  
 21 Court granted Filippatos PLLC’s motion to withdraw, and Parisis Filippatos,  
 22 Tanvir Rahman, and Samuel Brown were all relieved as counsel for Plaintiff.
  - 23 ○ Extending the parties’ March, April and May 2025 discovery deadlines for  
 24 30 days, while all other deadlines remain in place.
- 25 • On March 21, 2025, Plaintiff filed a Notice of Appeal to the Ninth Circuit of the  
 26 Court’s March 7, 2025 order denying her motion to terminate Filippatos PLLC for  
 27 cause (Dkt. No. 203).

1           • On March 27, 2025 Plaintiff provided the Court with a copy of and served  
 2 Defendants' counsel with the opening brief and petition for writ of mandamus she  
 3 filed with the Ninth Circuit on March 27, 2025.

4           **B. Proposals for the Remainder of the Case Development Process**

5           The parties anticipate filing a stipulated dismissal with prejudice as to defendants Kirkland  
 6 & Ellis LLP, Michael De Vries, Michael W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C.,  
 7 Akshay Deoras, Akshay S. Deoras, P.C., and Mark Fahey pursuant to Federal Rule of Civil  
 8 Procedure 41(a)(1)(A)(ii) shortly and thus, do not believe that any further changes to the case  
 9 management scheduling order is necessary at this time. The anticipated stipulation of dismissal  
 10 would not encompass Plaintiff's dispute with her former counsel or the related appeal pending  
 11 before the Ninth Circuit, No. 25-1995.

12           **C. The Parties' Views About Whether Using Some Form of ADR Would Be**  
 13           **Appropriate**

14           Because the parties anticipate filing a stipulated dismissal with prejudice shortly, they do  
 15 not believe that ADR is necessary or appropriate.

16  
 17 Dated: April 1, 2025

MARK R. THOMPSON  
 Orrick, Herrington & Sutcliffe LLP

18  
 19 Dated: April 1, 2025

By: /s/ Mark R. Thompson  
 Mark R. Thompson  
 Attorneys for Defendants

ZOYA KOVALENKO

20  
 21  
 22  
 23  
 24 Dated: April 1, 2025

By: /s/ Zoya Kovalenko  
 Zoya Kovalenko  
 Attorney for Plaintiff Zoya Kovalenko

## **Attestation Re Electronic Signatures**

I, Mark R. Thompson, attest pursuant to Northern District Local Rule 5-1(i)(3) that all other signatories to this document, on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: April 1, 2025

/s/ Mark R. Thompson

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Mark R. Thompson